

DRAFT MINUTES
Vershire Development Board of Adjustment (DBA) Public Hearing
Saturday, August 23, 2025 at 10:00 a.m.
Town Center, 27 Vershire Center Rd, Vershire VT

Present: Gregory Wilson, Co-Chair; Eleanor Zue, Co-Chair; Aaron Hoopes, Development Administrator; Helen Wilson, DBA Secretary; William M. Carroll, Appellant; Gene Craft, Town Clerk; Amy Record, Selectboard member; Vern Stone, Selectboard member; Interested Persons: Bobbie Mudge, P. Mudge, Taylor Parker, Jessica Eaton, Earl Robinson; Laurie Snyder.

Co-Chair Gregory Wilson called the Public Hearing to order, 10:10 a.m.

Approved the draft Hearing's Agenda, Gregory Moved, Eleanor seconded, passed.

Introduction & Presentation of Hearing Procedure by Gregory. Question of whether or not there is a quorum. There are 3 members of the DBA: Gregory, Eleanor, and Seann Cram. 2 members does constitute a quorum

Open the Public Hearing regarding an Appeal of the Development Administrator's (DA) Notice of Violation (NoV) dated June 17, 2025, issued to William M. Carroll. The Appellant acknowledged receipt of the NoV, and filed an Appeal with the Town Clerk on June 24, 2025.

Development Administrator Aaron Hoopes read the Notice of Violation into the record, and it is made part of these minutes, along with photos of the violating solid waste dumped on Mr. Carroll's property. Aaron also presented updated photos taken August 22, 2025, showing the current extent of the waste dumping.

Aaron pointed out that since the letter was sent on June 17, 67 days have elapsed, resulting in a fine of \$6,700. If no action has been taken by the end of the year, December 31, 2025, the total fines will be \$19,700. At that time the town of Vershire has the option of doubling the fines to \$200. per day. If the property is cleaned up, the town has the option to reduce or eliminate the fines.

Swearing in of Interested Parties, who wish to present oral testimony.

First Witness: William Carroll, appellant, read a prepared statement, in which he maintains he is constrained by a Vermont Superior Civil court order from approaching the property of Earl Robinson, and therefore cannot remove the waste. He stated his desire to have the matter referred to the Vermont Superior Court Environmental Division. He expressed dissatisfaction with the response of the Town Clerk when he visited the Town Office.

Second Witness: Dr. Mudge, neighbor, stated that this has been a long-standing problem, and the trash has been accumulating, including a large trailer recently added to the piles.

Third Witness: Gene Craft, Town Clerk, stated that Mr. Carroll was unhappy that he received notice of the Hearing less than 2 weeks beforehand, so Gene explained that the time is counted from when the notice was mailed, not from when he picked up his mail.

Fourth Witness: Taylor Parker, neighbor, spoke to the negative effect of driving past all the trash every day. It had a negative effect on his desire to live in Vershire.

Fifth Witness: Bobbie Mudge, neighbor, testified to the nuisance of the trash and other negative behaviors, such as obscene signs and excessive noise. It makes her fearful of having her grandchildren with her.

Sixth Witness: Jessica Eaton, Earl Robinson's sister, disputed the fact that Mr. Carroll cannot approach the boundary to remove the trash. She said her brother would be happy to have him be there to take away the trash. She expressed concern about where the trash will end up.

Seventh Witness: Earl Robinson, neighbor, said that he stated in court that he was fine with Mr. Carroll's coming to the boundary to clean up the trash. He expressed gratitude for the Town's help with the problem and to everyone who attended the Hearing.

Eighth Witness: Amy Record, Selectboard member, stated she has viewed and inspected the property and can vouch for the problem. She expressed gratitude for the Planning Commission's taking up the problem.

Gregory described the next steps in the process. The DBA has 45 days to make a decision on the Appeal, and will mail copies of the decision to all interested parties. Mr. Carroll will then have an option to appeal to the Environmental Court.

Closed the Public Hearing.

Entered Deliberative Session.

Exited Deliberative Session and issued instructions to the Development Administrator.

Adjourned 10:49 a.m.

The following pages contain the Letter of Violation, 3 pages of pictures from June, and 2 pages of pictures from August 22.

TOWN OF VERSHIRE
6894 VT Route 113
Vershire, VT 05079-9604
802-685-2227

June 17, 2025

William M. Carroll
560 Taylor Valley Road
Vershire VT 05079

RE: Unlawful Dumping at 560 Taylor Valley Road

Dear Mr Carroll:

NOTICE OF VIOLATION – UNLAWFUL DISPOSAL OF SOLID WASTE

This letter serves as formal notification that you are in violation of the Town of Vershire Development Ordinance and Vermont State Law for unauthorized disposal of trash and debris on private property located at or near:

560 Taylor Valley Road
Vershire VT 05079

Nature of Violation:

Based on observation and/or complaint investigation, you are found to be:

- Illegally dumping, storing, or disposing of solid waste and/or junk materials on land not lawfully permitted for such use. (See attached photographs)
- Depositing materials that constitute a public nuisance and violate local land use regulations. (See attached photographs)

Cited Violations:

1. Vershire Town Development Ordinance – Section 2.8
"No land or structure may be used for the dumping, burying, disposal, or long-term storage of trash, garbage, refuse, junk vehicles, or hazardous materials... unless specifically permitted under the Ordinance."
2. Vershire Town Development Ordinance – Section 5.21
"All violations shall be pursued in accordance with 24 V.S.A. §§ 4444 and 4445... Any person who violates this Ordinance shall be fined not more than \$100 for each offense."
3. Vermont State Statute – 10 V.S.A. § 6602
Defines "solid waste" and "disposal" as the placing, dumping, or storing of materials on land or water. Non-permitted actions may also be subject to enforcement under state hazardous waste laws.

Required Corrective Action to Cure:

You have an opportunity to cure this violation by taking the steps set out herein within ten (10) days of the date of this letter, or June 27, 2025 (the "Cure Period"). You are not entitled to receive any additional warning notice for this violation occurring after the Cure Period has run.

To cure, you must remove all improperly placed trash, refuse, and metal debris from the property in question by the end of the Cure Period.

Vershire Selectboard

Nicole White-Fogarty, Chair ~ Vernal Stone ~ Amy Record

Enforcement and Penalties:

Failure to comply with this notice will result in:

- A fine of \$100 per violation, as authorized by Section 5.21 of the Development Ordinance. The Development Ordinances states "**Each day that a violation is continued shall constitute a separate offense.**"
- Possible referral to the Environmental Division of Vermont Superior Court for civil enforcement under 24 V.S.A. § 4451.

Understand that the Town of Vershire is serious in its commitment to put an end to this situation. If you fail to correct this violation within the Cure Period, you will be fined \$100 for each day the violation continues. In default of payment of the fine, you will be required to pay double the amount of the fine until the violation ceases. It may also be necessary to turn the matter over to the Town Attorney to institute in the name of the municipality any action deemed appropriate by the municipality, such as an injunction or other proceeding to prevent, restrain, correct, or abate that construction or use, or to prevent, in or about those premises, any act, conduct, business, or use constituting a violation.

In accordance with 24 V.S.A. § 4465, should you disagree with this Notice of Violation, you may appeal to the Zoning Board of Adjustment within fifteen (15) days of the date of this letter. A copy of the appeal must also be provided to the Development Administrator. The appeal must also be accompanied by an appeal fee of \$15. Failure to file an appeal within that period will render the notice of violation the final decision on the violation addressed herein.

Please direct questions or documentation of compliance to:

Aaron Hoopes
Development Administrator
Town of Vershire
6894 VT Route 113
Vershire, VT 05079
(802) 685-4448

Sincerely,



Aaron Hoopes, Development Administrator for
the Town of Vershire

cc: Michael Tarrant, Esq.
Vershire Planning Commission
file

Vershire Selectboard

Nicole White-Fogarty, Chair ~ Vernal Stone ~ Amy Record



Vershire Selectboard

Nicole White-Fogarty, Chair ~ Vernal Stone ~ Amy Record



Vershire Selectboard
Nicole White-Fogarty, Chair ~ Vernal Stone ~ Amy Record



Vershire Selectboard

Nicole White-Fogarty, Chair ~ Vernal Stone ~ Amy Record



